

TWIN FALLS COUNTY

Recorded for:

TWIN FALLS, CITY OF

10:03:07 am

04-28-2008

2008-009362

No. Pages: 3

Fee: \$

KRISTINA GLASCOCK

County Clerk

Deputy: CDUNBAR

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SEP 12 2008

TECHNICAL SUPPORT

COPY

ORDINANCE NO. 2935

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, ANNEXING CERTAIN REAL PROPERTY BELOW DESCRIBED, PROVIDING THE ZONING CLASSIFICATION THEREFOR, AND ORDERING THE NECESSARY AREA OF IMPACT AND ZONING DISTRICTS MAP AMENDMENT.

WHEREAS, Gerald Martens, on behalf of Kimberly Road Partners, LLC, has made application for annexation of property located southwest of 3250 Kimberly Road; and,

WHEREAS, the City Planning and Zoning Commission for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 26th day of February, 2008, to consider the Zoning Designation and necessary Area of Impact and Zoning Districts Map amendment upon annexation of the real property below described; and,

WHEREAS, the City Planning and Zoning Commission has made recommendations known to the City Council for Twin Falls, Idaho; and,

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 7th day of April, 2008, to consider the Zoning Designation and necessary Area of impact and Zoning Districts Map amendment upon annexation of the real property below described.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO:

SECTION 1. The following described real property be and the same is hereby annexed into and declared to be a part of the City of Twin Falls, Idaho:

SEE ATTACHMENT "A"

AND all public streets, highways, alleys and public rights-of-way adjacent and within this description.

SECTION 2. The real property described in Section 1 hereof be and the same is hereby zoned C-1 and M-2.

SECTION 3. Public services may not be available at the time of development of this property, depending upon the speed of

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development of this and other developments, and the ability of the City to obtain additional water and/or sewer capacity. The annexation of this property shall not constitute a commitment by the City to provide water and/or wastewater services.

SECTION 4. The Area of Impact and Zoning Districts Map for the City of Twin Falls, Idaho, be and the same is hereby amended to reflect the newly incorporated real property as hereby zoned.

SECTION 5. The City Clerk immediately upon the passage and publication of this Ordinance as required by law certify a copy of the same and deliver said certified copy to the County Recorder's office for indexing and recording.

PASSED BY THE CITY COUNCIL


April 14, 2008

SIGNED BY THE MAYOR

April 15, 2008


Mayor

ATTEST:


Deputy City Clerk



PUBLISH: Thursday, April 24, 2008

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ATTACHMENT "A"

A parcel of land located in a portion of the NW ¼ of Section 24, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

COMMENCING at the North one-quarter corner of said section 24 from which the Northwest Section corner of said Section 24 bears South 89°48'00" West 2638.80 feet;

THENCE South 00°31'07" East along the East boundary of the NE ¼ NW ¼ of said Section 24 for a distance of 50.00 feet to a point on the Southerly right of way of U.S. Highway 30 and being the TRUE POINT OF BEGINNING;

THENCE continuing South 00°31'07" East along the East boundary of the NE ¼ NW ¼ of said Section 24 for a distance of 1269.01 feet to the Southeast corner of the NE ¼ NW ¼ of said Section 24;

THENCE South 89°46'46" West along the South boundary of the NE ¼ NW ¼ of said Section 24 for a distance of 1320.34 feet to the Southwest corner of the NE ¼ NW ¼ of said Section 24;

THENCE continuing South 89°46'46" West along the South boundary of the NW ¼ of said Section 24 for a distance of 6.39 feet;

THENCE North 00°12'00" West for a distance of 2.39 feet to a found 5/8" rebar;

THENCE continuing North 00°12'00" West for a distance of 890.83 feet to a found 5/8" rebar;

THENCE South 89°43'47" East for a distance of 181.24 feet;

THENCE North 00°39'29" East for a distance of 377.78 feet to a point on the Southerly right of way of U.S. Highway 30;

THENCE North 89°48'00" East parallel with the North boundary of the NE ¼ NW ¼ of said Section 24 and along the Southerly right of way of U.S. Highway 30 for a distance of 1132.79 feet to the TRUE POINT OF BEGINNING.

Containing approximately 36.96 Acres

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Affidavit of Publication

STATE OF IDAHO)
COUNTY OF TWIN FALLS) SS.

I, Ruby Aufderheide, being first duly sworn upon oath, depose and say that I am Legal Clerk of the TIMES-NEWS, published daily at, Twins Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for one ~~consecutive~~ publication, commencing with the issue dated 24th day of April, 2008 and ending with the issue dated 24th day of April, 2008

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issued thereof Thursday is announced as the day on which said legal will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 25th day of April, 2008, before me,

a Notary Public, personally appeared Ruby Aufderheide,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Linda Capps McGuire
Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5-19-09

LINDA CAPPS-McGUIRE
NOTARY PUBLIC
STATE OF IDAHO

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WHEREAS, the City Planning and Zoning Commission has made recommendations known to the City Council for Twin Falls, Idaho; and,

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 14th day of April, 2008, to consider the Zoning Designation and necessary Area of impact and Zoning Districts Map amendment upon annexation of the real property below described.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO:

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PASSED BY THE CITY COUNCIL April 14, 2008

/s/ Mayor Lance W. Clow, April 15, 2008

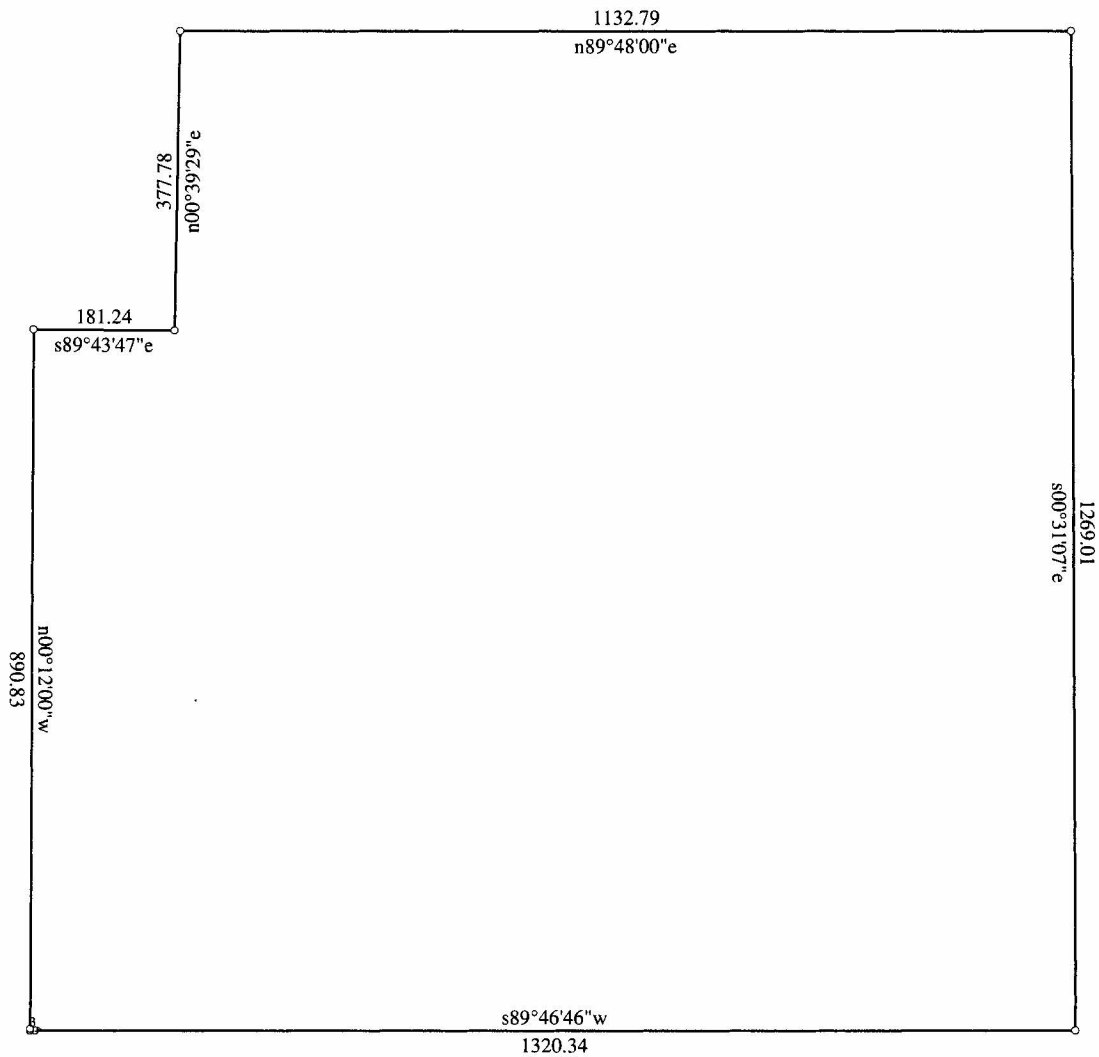
/s/ Deputy City Clerk Leila A. Sanchez

PUBLISH: Thursday, April 24, 2008

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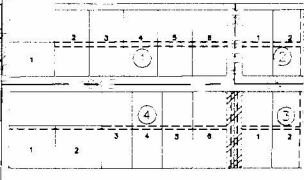
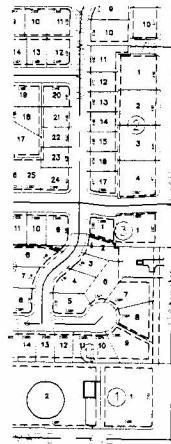


Title:		Date: 03-28-2008
Scale: 1 inch = 244 feet	File: Kimberly road partners.des	
Tract 1: 36.962 Acres: 1610061 Sq Feet: Closure = s65.0916w 0.01 Feet: Precision = 1/584712: Perimeter = 5181 Feet		
001=s00.3107e 1269.01	004=n00.1200w 2.39	007=n00.3929e 377.78
002=s89.4646w 1320.34	005=n00.1200w 890.83	008=n89.4800e 1132.79
003=s89.4646w 6.39	006=s89.4347e 181.24	

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2900 E

3000 E

3100 E

3200 E

100

3400 E

3500 E

3600 E

400

300

200

100 S

200 S

300 S

400 S

500 S

600 S

0 S

**ORD. 2935
ANNEXATION**

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